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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 GARY ABELAR,

12 Petitioner,

13 vs.

14 KEN CLARK, Warden,

15 Respondent.


CASE NO. 07cv0556 JM(BLM)(

ORDER DENYING CERTIFICATE
OF APPEALABILITY

16 Petitioner appeals this court's order denying his petitioner for habeas corpus pursuant to 28
17 U.S.C. §2254. For the reasons set forth in the order, Petitioner fails to make a substantial showing of
18 the denial of a constitutional right. Accordingly, the request for a certificate of appealability is denied.
19 See 28 U.S.C. §2253(c)(2).

20 **IT IS SO ORDERED.**

21 DATED: November 6, 2007

22 
23 Hon. Jeffrey T. Miller
United States District Judge

24 cc: All parties
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